

# Order

Michigan Supreme Court  
Lansing, Michigan

November 9, 2005

Clifford W. Taylor,  
Chief Justice

128641

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

THOMAS J. PASSARO and HOWARD H.  
KAHNE,  
Plaintiff-Appellees,

v

SC: 128641  
COA: 257553  
Berrien CC: 2003-003281-CZ

TAGLIA, FETTE, DUMKE & WHITE, P.C.,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the February 23, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 9, 2005

*Corbin R. Davis*

Clerk